

ARASTO FARSAD (SBN: 273118)
NANCY WENG (SBN: 251215)
FARSAD LAW OFFICE, P.C.
1625 The Alameda, Suite 525
San Jose, CA 95126
Tel: 408-641-9966
Fax: 408-866-7334
Emails: farsadlaw1@gmail.com
nancy@farsadlaw.com

Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In re:	}	Case No. 23-50023 MEH
Y. ROGER YU,		Chapter 13
		MOTION TO CONVERT CASE
		FROM A CHAPTER 13 TO
Debtor.		A CHAPTER 11 (UNDER 11 U.S.C.
	}	Sections 706(a) or 1112(a))
		JUDGE: HON. M. ELAINE HAMMOND

TO THE HONORABLE JUDGE M. ELAINE HAMMOND, THE UNITED STATES TRUSTEE'S OFFICE FOR THE NORTHERN DISTRICT OF CALIFORNIA, THE STANDING CHAPTER 13 TRUSTEE, ALL PARTIES IN INTEREST, AND THEIR RESPECTIVE COUNSEL(S) OF RECORD:

Comes Now, Y. Roger Yu, the Debtor herein, by and through his attorney of record, FARSAD LAW OFFICE, P.C., and hereby moves this court for an Order converting the instant Chapter 13 to a case under Chapter 11 on the grounds set forth below:

1. The Debtor filed a voluntary petition under Chapter 13 on January 11, 2023 as Pro Se.
2. The instant case was filed as an emergency petition in order to stop the foreclosure of the Debtor's primary residence located at 115 College Avenue, Mountain View, CA 94040 ("Property").

3. On or about January 24, 2023, the Debtor retained and substituted in the legal services of Farsad Law Office, P.C. ("Firm").
4. After reviewing as much of the documents and information available (the Debtor had succumbed to COVID and missed 3 scheduled appointments with the Firm), the Firm believes / knows that the Debtor's Chapter 13 has exceeded the Chapter 13 109 (e) limits.
5. Debtor is seeking conversion to a Chapter 11 in order to responsibly deal with his creditors in absolute good faith through a proposed Chapter 11 Plan of Reorganization. Debtor has no intention of defrauding his creditors or hindering the bankruptcy process. (The Debtor has significant secured and unsecured debt to deal with.)
6. Debtor alleges that the subject case has not previously been converted.
7. Debtor further alleges that he is eligible to be a Debtor under Chapter 11.
8. WHEREFORE, Debtor prays that this court issue an Order converting this case from one under Chapter 13 to a case under Chapter 11.

Dated: February 15, 2023

FARSAD LAW OFFICE, P.C.

/s/ Arasto Farsad
Arasto Farsad, Esq.
Attorneys for Debtor